

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-22 are pending in the present application and Claims 1, 4, 6, 11, 16, 21 and 22 are amended by the present amendment. No new matter is added.

In the outstanding Action, Claims 1-22 were rejected under 35 U.S.C. §112, second paragraph as indefinite; Claims 1, 2, 5, 11, 15 and 21 were rejected under 35 U.S.C. §102(b) as anticipated by Kii et al. (U.S. Pat. Pub. No. 2002/0099661, herein "Kii"); Claims 3, 4, 13 and 14 were rejected under 35 U.S.C. §103(a) as unpatentable over Kii in view of Nakano (U.S. Pat. Pub. No. 2003/0221097); Claims 6, 7, 19, 16, 17, 20 and 22 were rejected under 35 U.S.C. §103(a) as unpatentable over Kii in view of Kutaragi et al. (U.S. Pat. Pub. No. 2002/0129262, herein "Kutatagi"); and Claims 8, 9, 18 and 19 were rejected under 35 U.S.C. §103(a) as unpatentable over Kii and Kutaragi in view of Nakano.

With regard to the rejection of Claims 1-22 under 35 U.S.C. §112, second paragraph as indefinite, Claims 1, 21 and 22 have been amended to clarify the preamble of the claims. Accordingly, Applicants respectfully request that the rejection of Claims 1-22 under 35 U.S.C. §112, second paragraph, be withdrawn.

Addressing now the rejection of Claims 1, 2, 5, 11, 15 and 21 under 35 U.S.C. §102(b) as anticipated by Kii, Applicants respectfully traverse this rejection.

Claim 11 recites, in part,

receiving a service request accompanied by an information recording medium ID and a service ID from the information processing apparatus; and

verifying the information recording medium ID received;

acquiring a title-unique value on the basis of the information recording medium ID when the information recording medium ID is verified as valid;

acquiring, based on the title-unique value, service providing situation data from a storage section, the service

providing situation data including data for each of title-unique values corresponding to titles of content stored on information recording media;
judging whether or not a service requested by the service request including the information recording medium ID and the service ID is permitted based on the acquired service providing situation data; and
executing the service providing processing when the service is determined to be permitted by the judging.

Claims 1 and 21 recite corresponding apparatus and computer readable storage medium claims.

Kii describes a service offering system that provides services to package media such as mini-discs. Further, Kii describes that upon receipt of a service request from the user terminal device the management unit proceeds to offer the service if the request is judged to be valid.

However, Kii does not describe or suggest acquiring a title-unique value on the basis of the information recording medium ID when the information recording medium ID is verified as valid, acquiring, based on the title-unique value, service providing situation data from a storage section, the service providing situation data including data for each of title-unique values corresponding to titles of content stored on information recording media and judging whether or not a service requested by the service request including the information recording medium ID and the service ID is permitted based on the acquired service providing situation data, as is recited in Claim 11.

The outstanding Action asserts on page 4 that “Kii does not explicitly give the data in the access right information a separate name but the data is there because it is used to check [if] a requested service is permissible or not.” In other words, the outstanding Action is asserting that the “access right information” of Kii is equivalent to the “service providing situation data” recited in Claim 11. Applicants respectfully traverse this assertion.

Specifically, the “access right information” of Kii is obtained from the user terminal device 503¹ and not from a storage section in the server based on a title-unique value acquired on the basis of the received information recording medium ID.

Thus, while the claimed invention is able to dynamically modify the what services are provided to an information recording medium ID due to the fact that the service providing situation data is retrieved from the storage section in the server, the system of Kii only describes authenticating a service based on authentication information received from the user terminal.

The outstanding Action asserts that the access right information of Kii inherently includes condition or permission information which determines how the system responds to situations. However, Applicants note that the access right information of Kii is not acquired from a storage section of the server on the basis of the information recording medium ID.

Thus, while the Kii reference obtains access right information from the user terminal, the claimed invention acquires, based on the title-unique value, service providing situation data from the storage section.

Thus, Applicants respectfully submit that Claim 11 and similarly Claims 1 and 21 patentably distinguish over Kii.

Addressing now the rejection of Claims 6, 7, 19, 16, 17, 20 and 22 under 35 U.S.C. §103(a) as unpatentable over Kii in view of Kutaragi, Applicants respectfully traverse this rejection.

Claim 16 recites, in part,

accessing an information recording medium via a recording medium interface of an information processing apparatus;

verifying, using the information processing apparatus,
an information recording medium ID read from the information recording medium via the recording medium interface; and

¹ See paragraph 0118, lines 5-8 of Kii.

transmitting the information recording medium ID from the information processing apparatus to the service providing server when the information recording medium ID is verified to be valid by the information processing apparatus.

Claims 6 and 22 recite corresponding apparatus and computer readable medium claims.

As was noted above, Kii describes a service offering system that provides services to package media such as mini-discs. Further, Kii describes that when a user loads a package medium 51 into the user terminal device 503, the device connects to the service provider 504 which authenticates the medium ID of the package medium 51.

However, Kii does not describe or suggest accessing an information recording medium via a recording medium interface of an information processing apparatus, verifying, using the information processing apparatus, an information recording medium ID read from the information recording medium via the recording medium interface and transmitting the information recording medium ID from the information processing apparatus to the service providing server when the information recording medium ID is verified to be valid by the information processing apparatus, as is recited in Claim 16.

Nevertheless, the outstanding Action cites Kutaragi as curing the deficiencies of Kii with regard to the claimed invention.

Kutaragi describes a system for verifying whether or not optical disks are being used in an unauthorized manor. Further, Kutaragi describes that prior to a disk ID being sent to a contents server 6-1, the disk ID is sent to an intermediary authentication server 4 which authenticates the disk ID and informs the contents server 6-1 of the result.

However, Kutaragi does not describe or suggest accessing an information recording medium via a recording medium interface of an information processing apparatus, verifying, using the information processing apparatus, an information recording medium ID read from the information recording medium via the recording medium interface and transmitting the information recording medium ID from the information processing apparatus to the service

providing server when the information recording medium ID is verified to be valid by the information processing apparatus, as is recited in Claim 16.

In other words, while the claimed invention verifies the information recording medium ID using the information processing apparatus, the combination of Kii and Kutaragi never describes that the information recording medium ID is verified using the information processing apparatus or that the information recording medium ID is transmitted from the information processing apparatus to the service providing server when the information recording medium ID is verified to be valid by the information processing apparatus.

Thus, the combination of Kii and Kutaragi cannot be asserted as corresponding to the features recited in Claim 16 as this combination of references does not describe or suggest all of the features recited therein.

Accordingly, Applicants respectfully submit that Claim 16 and similarly Claims 6 and 22 patentably distinguish over Kii and Kutaragi.

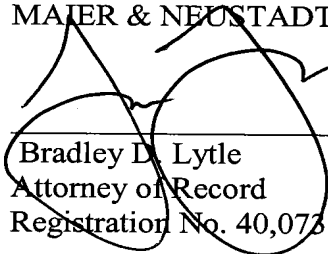
Moreover, the further cited Nakano reference does not cure the above noted deficiencies of Kii or Kutaragi with regard to the features of the claimed invention.

Accordingly, Applicants respectfully submit that Claims 1-22 patentably distinguish over Kii, Kutaragi and Nakano considered individually or in combination.

Consequently, in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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